

(A)

**FILED**

JAN 14 2008

JUDGE JOAN H. LEFKOW  
UNITED STATES DISTRICT COURT

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS

DISABLED PATRIOTS OF AMERICA, INC.,  
a Florida Not-For-Profit Corporation, and BONNIE  
KRAMER, Individually,

Plaintiffs,

v.

TOWN & COUNTRY CHICAGO ASSOCIATES, LLC, A  
Foreign Limited Liability Company,

Defendant.

Case No.: 1:07-cv-06362

Joan H. Lefkow

JAN 14 2008

RULE 26(f)

REPORT OF THE PARTIES

Plaintiffs, DISABLED PATRIOTS OF AMERICA, INC., and BONNIE KRAMER, and Defendant, TOWN & COUNTRY CHICAGO ASSOCIATES, LLC, (collectively "the parties"), having held a scheduling conference attended by Thomas B. Bacon, Esq. for all Plaintiffs and Michael I. Leonard, Esq., for the Defendant, as required by Fed. R. Civ. P. 26(f), submit the following proposed Scheduling Order:

(A) The parties believe that an early settlement conference will not likely result in the disposition of the case.

(B) The Plaintiffs have made their Initial Disclosures. Defendant shall have until January 11, 2008 to make its Initial Disclosures.

(C) Amendments to the pleadings and/or joinder of additional parties may be sought upon appropriate Motion by January 23, 2008. Amendments thereafter may be made only on Motion for good cause shown.

(D) Non-expert (fact) discovery will close on May 28, 2008;

(E) The cut-off date for designation of Plaintiff's initial expert(s), and date for providing all initial expert reports shall be April 23, 2008;

(F) The cut-off date for designation of Defendant's initial expert(s), and date for providing all initial expert reports shall be May 23, 2008;

(C) The cut-off date for designation of Defendant's rebuttal expert(s), and date for providing all expert rebuttal reports shall be June 23, 2008;

(H) The cut-off date for designation of Plaintiff's rebuttal expert(s), and date for providing all expert rebuttal reports shall be July 23, 2008;

(I) Depositions of each expert shall be taken within 60 days of designation. Unless otherwise stipulated, disclosure of experts will include a report fully in compliance with Rule 26(a)(2)(B).

(J) Any Motion challenging the qualifications of a designated expert must be made within 45 calendar days after the deposition of the expert or the close of discovery, whichever is later. If no Motion is filed, the Court may deem such challenges waived.

#### **Dispositive Motions**

Before a dispositive Motion (Motion for Summary Judgment) is filed, the parties will exchange demand and offer letters in an effort to reach resolution of the case. A status hearing will be set by the Court, at which time the parties will report on the possibility of settlement and whether a settlement conference may be helpful.

Any dispositive Motions (Motions for Summary Judgment) shall be presented with a proposed agreed briefing schedule by September 23, 2008.

#### **Consent to Proceed Before A Magistrate Judge**

The parties *do not* consent to have their case proceed before the Magistrate Judge.

#### **Trial, Pretrial Conference, Pretrial Order**

(A) The case will be ready for Bench Trial following ruling on the parties' Motions for Summary Judgment. The trial is projected to last two to three days.

(B) A Joint Final Pretrial Order shall be filed within 60 days of the trial date. Plaintiffs' draft shall be served on Defendant within 30 days of the date for submission of the Joint Final Pretrial Order, and Defendant's draft shall be served on the Plaintiffs within 10 days of the date for submission of the Joint Final Pretrial Order.

(C) Motions *in limine*, and responses thereto, shall be filed with the Joint Final Pretrial Order. (No replies shall be filed) Three copies of the Final Pretrial Order shall be delivered to chambers no less than one week prior to the date of the final Pretrial Conference, which shall be set by this Court.

This Order shall not be modified except by leave of court after Motion and for good cause shown.

Respectfully submitted,  
Attorneys for Plaintiffs:

/s/ Thomas B. Bacon

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ORDER

APPROVED BY THE COURT this 14th day of January, 2008, in Cook County,  
Chicago, Illinois.

  
JOHN HUMPHREY LEFKOW

United States District Judge

**JAN 14 2008**